

BEFORE THE
TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE

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REGULATORY AUTH.
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In re:

Petition for Arbitration of the)
Interconnection Agreement Between)
BellSouth Telecommunications, Inc. and)
Intermedia Communications Inc. Pursuant)
to Section 252(b) of the Telecommunications)
Act of 1996)

OFFICE OF THE
EXECUTIVE SECRETARY

Docket No. 99-00948

**INTERMEDIA COMMUNICATIONS INC.'S OBJECTIONS TO
BELLSOUTH TELECOMMUNICATIONS, INC.'S
FIRST SET OF INTERROGATORIES**

INTERMEDIA COMMUNICATIONS INC. ("Intermedia"), through its undersigned counsel, submits its objections to BellSouth Telecommunications, Inc.'s ("BellSouth") First Set of Interrogatories ("Interrogatories").¹

GENERAL OBJECTIONS

1. Intermedia objects to BellSouth's Interrogatories to the extent they are overly broad, unduly burdensome, oppressive, and not permitted by the applicable discovery rules.

¹ Intermedia is a large, multistate corporation with employees and records located in many different locations in Tennessee and other states. In the course of its business, Intermedia creates numerous documents that may not be subject to state or federal record retention policies. These documents are kept in numerous locations that are frequently moved from site to site as employees change jobs or as the business is reorganized. Therefore, although Intermedia has extensively searched its records in response to discovery requests in this proceeding, it is possible that not every document or information has been identified in response to these requests. In the event additional information and/or documents should come to light subsequent to the filing of Intermedia's responses to discovery requests, Intermedia will provide such additional information and/or documents, as appropriate.

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2. Intermedia objects to BellSouth's Interrogatories to the extent they are intended to apply to matters other than Tennessee intrastate operations subject to the jurisdiction of the Authority.

3. Intermedia objects to BellSouth's Interrogatories to the extent they seek information that is irrelevant to the subject matter of this proceeding or is not reasonably calculated to lead to the discovery of admissible evidence.

4. Intermedia objects to BellSouth's Interrogatories to the extent they require the release of information that is exempt from discovery by virtue of the attorney-client, work product, or other privilege.

5. Intermedia objects to BellSouth's Interrogatories insofar as they are vague, ambiguous, overly broad, imprecise, or utilize terms that are subject to multiple interpretations but are not properly defined or explained for purposes of the Interrogatories.

6. Intermedia objects to BellSouth's Interrogatories insofar as they require the release of information that is already publicly available and to which BellSouth has easy access.

7. Intermedia objects to BellSouth's Interrogatories to the extent they require the release of information that is strictly proprietary, competitively sensitive, confidential, or constitutes trade secret.

8. Intermedia objects to BellSouth's Interrogatories, instructions, and definitions, insofar as they seek to impose obligations on Intermedia that exceed the requirements of applicable law.

9. Intermedia objects to BellSouth's Interrogatories to the extent they seek the release of information that is not generally maintained by Intermedia in the ordinary course of business.

10. Intermedia objects to BellSouth's Interrogatories insofar as they impose unreasonable expense on Intermedia or are excessively time-consuming.

SPECIFIC OBJECTIONS

7. Identify all studies, evaluations, reports, or analyses prepared by or for Intermedia since January 1, 1996 that refer to or relate to the cost to BellSouth or any other Incumbent Local Exchange Carrier of providing any of the unbundled network elements or other services requested by Intermedia in its Arbitration Petition.

RESPONSE: OBJECTION. Intermedia objects to this Interrogatory on the grounds that it is overly broad as it relates to other incumbent local exchange carriers.

8. Identify all states in which Intermedia is providing local exchange service and identify the number of access lines being served by Intermedia in each such state.

RESPONSE: OBJECTION. Intermedia objects to this Interrogatory on the grounds that it seeks information which is irrelevant to the subject matter of this proceeding and is not reasonably calculated to lead to the discovery of admissible evidence. Intermedia further objects to this Interrogatory to the extent it requires the release of information that is strictly proprietary, competitively sensitive, confidential, or constitutes trade secret. Finally, Intermedia objects to this Interrogatory on the basis that it is unduly burdensome, oppressive, overly broad, and not permitted by the applicable discovery rules.

9. Identify all agreements between Intermedia and all incumbent Local Exchange Carrier under Section 252 of the Act, whether the agreement was entered into through voluntary negotiation or compulsory arbitration. In answering this request:

- (a) identify the Incumbent Local Exchange Carrier that is party to each such agreement;
- (b) state the effective date of each such agreement; and
- (c) state the expiration date of each such agreement.

RESPONSE: OBJECTION. Intermedia objects to this Interrogatory on the grounds that it seeks information which is irrelevant to the subject matter of this proceeding and is not reasonably calculated to lead to the discovery of admissible evidence. Intermedia further objects to this Interrogatory to the extent it requires the release of information that is strictly proprietary, competitively sensitive, confidential, or constitutes trade secret. Finally, Intermedia objects to this Interrogatory on the basis that it is unduly burdensome, oppressive, overly broad, and not permitted by the applicable discovery rules.

10. Identify any and all costs studies, evaluations, reports or analyses prepared by or for Intermedia concerning any issue raised by Intermedia in this Arbitration.

RESPONSE: Intermedia objects to this Interrogatory on the grounds that it is overly broad.

12. Identify the location of each of Intermedia's end users in relation to Intermedia's switch(es).

RESPONSE: OBJECTION. Intermedia objects to this Interrogatory on the grounds that it seeks information which is irrelevant to the subject matter of this proceeding and is not reasonably calculated to lead to the discovery of admissible evidence. Intermedia further objects

to this Interrogatory to the extent it requires the release of information that is strictly proprietary, competitively sensitive, confidential, or constitutes trade secret. Finally, Intermedia objects to this Interrogatory on the basis that it is unduly burdensome, oppressive, overly broad, and not permitted by the applicable discovery rules.

Respectfully submitted,

INTERMEDIA COMMUNICATIONS INC.

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ITS ATTORNEYS

Dated: June 29, 2000

CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of June, 2000, a true and accurate copy of the foregoing was served by hand delivery, overnight delivery or U. S. Mail, first class postage prepaid, to Guy Hicks, Esq., BellSouth Telecommunications, Inc., 333 Commerce Street, Suite 2101, Nashville, TN 37201-3300.

H. LaDon Baltimore
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